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ABSTRACT

Youth courts, comprising teen courts, peer juries, peer courts, student courts, and other courts wherein juveniles sentence juvenile respondents, have rapidly gained popularity. In 1991 there were over 50 youth courts in 14 states. By 2002, the number of youth courts grew to more than 850 in 46 states and the District of Columbia. This digest discusses: (1) types and functions of youth courts; (2) the relationship of youth courts to law-related education; (3) student courts in schools; (4) educational effects of youth courts; and (5) the National Youth Court Center. (Contains 14 references.) (BT)

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Youth Courts in Law-Related Education

By Paula A. Nessel

Youth courts, which comprise teen courts, peer juries, peer courts, student courts, and other courts wherein juveniles sentence juvenile respondents, have rapidly gained popularity. In 1991 there were over 50 youth courts in 14 states; by 2002, the number of youth courts grew to more than 850 in 46 states and the District of Columbia. This Digest discusses (1) types and functions of youth courts, (2) the relationship of youth courts to law-related education, (3) student courts in schools, (4) educational effects of youth courts, and (5) the National Youth Court Center.

Types and Functions of Youth Courts. Youth courts involve juveniles in the sentencing of other juveniles, in either a school or a community setting. Young people usually serve as jurors and may also fill the roles of prosecuting attorney, defense attorney, judge, bailiff, or other officers of the court. Respondents usually are referred to a youth court for sentencing, not for a judgment of guilt or innocence. Many youth courts accept only first-time respondents who have committed relatively minor offenses such as theft, alcohol/drug offenses, vandalism, and disorderly conduct (Godwin 1998).

Respondents voluntarily choose youth court, with parental approval, as an alternative to an existent sentencing agency or disciplinary office. Respondents who prefer legal representation or the regular court (or disciplinary system) can decline referral to youth courts.

Youth court sentences commonly include community service, apology to the victim, written statements, jury duty, and drug/alcohol class. Additional sentencing options include monetary restitution, victim-awareness classes, and driving/traffic classes. According to the National Youth Court Center, 27.3 percent of youth courts are administered by private nonprofit agencies, 17.5 percent are administered by law enforcement agencies, 15 percent are administered by juvenile/municipal court, 12.6 percent are administered by juvenile probation, 8.28 percent are administered by city governments, 4.89 percent are administered by schools, 4.7 percent are administered by county governments, and 0.56 percent are administered by district/county attorney offices.

The American Probation and Parole Association (Godwin 1998) identified four distinct teen court program models: the Peer Jury Model, the Adult Judge Model, the Youth Judge Model, and the Youth Tribunal Model. The Peer Jury Model employs a panel of teen jurors who directly question the respondent. No defense or prosecuting attorney is employed. The judge or presiding juror can be an adult or youth volunteer. The most common of the youth court models is the Adult Judge Model, which employs an adult judge to rule on courtroom procedure and clarify legal terminology and youth volunteers as defense and prosecuting attorneys and jurors. Young people may also serve as bailiff and clerk. The Youth Judge Model is similar to the Adult Judge Model, except that a juvenile serves as judge, usually after service as a youth court attorney. Finally, the Youth Tribunal Model has no peer jury. Instead, the prosecuting and defense attorneys present cases to a panel of three youth judges, who determine the sentence.

Relationship to Law-Related Education (LRE). Youth courts and law-related education share many goals. The Law-Related Education Act of 1978 defined LRE as "Education to equip non-lawyers with knowledge and skills pertaining to the law, the legal process, the legal system, and the fundamental principles and values on which these are based." Youth courts do the same. Each youth court case teaches both the student volunteers and the respondents about the rules or laws that were broken, the consequences of the offenses, and how due process is observed by court procedure. In addition, the volunteers and respondents learn about key LRE concepts of justice, power, equality, property, and liberty.

Youth courts also help foster important values, attitudes, and beliefs similar to those of LRE. Participants voluntarily commit their time to youth courts in the pursuit of justice. Student volunteers demonstrate a belief in active and responsible participation in civic life, a respect for the rights of the respondent and victim, and an appreciation for a legitimate response to societal conflicts through assigning appropriate responses to the offenses in question.

Youth courts also offer a uniquely experiential approach to LRE. Participants are real respondents in real situations, and volunteers must therefore learn the discipline of confidentiality. Youth court participants must weigh conflicting points of view and decide a just and appropriate sentence. They see first-hand the consequences of delinquent behavior.

Student Courts in Schools. Youth courts that handle only school referrals are receiving increasing attention from educators who are looking for ways to improve students' citizenship skills and decrease problematic behavior. Some youth courts meet in schools, but accept referrals from organizations in the community such as the county probation department, juvenile court, police department or sheriff's office. More often, student courts accept referrals only from within the school. Of course, student courts pose special challenges because of the complexity of creating new programs in schools.

Some student courts handle only limited types of offenses. One student court handles only traffic offenses on the school grounds, such as parking lot violations. Other student courts handle only truancy and smoking violations. Still others address a wide variety of offenses including insubordination, minor theft of student property, minor vandalism, fighting, cheating, and loitering.

Student courts' memberships vary greatly from school to school. For instance, members of the jury may be drawn from applicants throughout the student population by random selection

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among students in study hall or from among trained student court members. Likewise, student courts employing students as judges or peer jurors may draw from applicants as diverse as the student body, or they may use only the students specially trained as court officers either as an extracurricular activity or as members of a law class meeting throughout the semester.

Educational Effects of Youth Courts. Youth court advocates generally agree that their most important goals are educating young participants about the judicial process, having a positive impact on participants' social competence, providing victims with apologies and/or restitution, and providing service to the community. Additional goals are preventing recidivism (repeat offenses) and influencing young people to resist the temptation to become delinquent.

Evaluations conducted in the 1990s found a decrease in recidivism for respondents who had participated in youth court (Hissong 1991), a positive modification of behavior for both respondents and volunteers (North Carolina Administrative Office of the Courts 1995), and gains in students test scores on knowledge of law and government (Wells and Minor 1997).

In 1998 the U.S. Office of Juvenile and Delinquency Prevention (OJJDP) awarded a grant to the Urban Institute to conduct a national evaluation of youth courts. The Evaluation of Teen Court Project began with a national survey of youth courts followed by an evaluation of youth courts in Anchorage, Alaska; Tempe, Arizona; Rockville, Maryland; and Independence, Missouri. The project collected data, including recidivism rates, on the youth court participants and a comparison group of youth handled using traditional juvenile court procedures (Butts and Buck 2000). This evaluation project revealed generally positive results regarding the effects of youth courts on participants. The findings are available at <http://www.jbutts.com/projects/teencourts.htm>.

National Youth Court Center. In 1999 the OJJDP established the National Youth Court Center at the American Probation and Parole Association in Lexington, Kentucky. The Center provides training, technical assistance, and resource materials to youth courts. In addition, the Center maintains an extensive Web site <http://www.youthcourt.net/>, manages an information clearinghouse, holds national youth court conferences, and publishes a newsletter and other informational materials such as the *National Youth Court Guidelines*.

References and ERIC Resources. The following list of resources includes references used to prepare this Digest. The items followed by an ED number are available in microfiche and/or paper copies from the ERIC Document Reproduction Service (EDRS). For information about prices, contact EDRS, 7420 Fullerton Road, Suite 110, Springfield, Virginia 22153-2852; telephone numbers are (703) 440-1400 and (800) 443-3742. Entries followed by an EJ number, annotated monthly in CURRENT INDEX TO JOURNALS IN EDUCATION (CIJE), are not available through EDRS. However, they can be located in the journal section of most larger libraries by using the bibliographic information provided, requested through Interlibrary Loan, or ordered from commercial reprint services.

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